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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 BERT TABOR,

7 Plaintiff,

8 v.

9 MICHAEL RAY ROACH, *et. al.*

10 Defendants.

Case No. 2:24-cv-02169-MMD-BNW

ORDER

11 Before the Court is the Report and Recommendation (“R&R”) of United States  
12 Magistrate Judge Brenda Weksler (ECF No. 9), recommending the Court dismiss this  
13 action without prejudice because Plaintiff failed to file proof of service even though Judge  
14 Weksler sua sponte extended the deadline by another 30 days. Plaintiff had until May 16,  
15 2026 to file an objection. (*Id.*) To date, Plaintiff has not filed an objection to the R&R. For  
16 this reason, and as explained below, the Court adopts the R&R.

17 Because there is no objection, the Court need not conduct *de novo* review and is  
18 satisfied that Judge Weksler did not clearly err. *See United States v. Reyna-Tapia*, 328  
19 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and  
20 recommendations is required if, but *only* if, one or both parties file objections to the  
21 findings and recommendations.”); Fed. R. Civ. P. 72, advisory committee note to 1983  
22 amendment (providing that the Court “need only satisfy itself that there is no clear error  
23 on the face of the record in order to accept the recommendation”). Judge Weksler  
24 recommends dismissal because Plaintiff failed to file proof of service even after the  
25 deadline was extended. Having reviewed the R&R, the Court agrees with Judge Weksler  
26 and adopts the R&R in full.

27 It is therefore ordered that Judge Weksler’s Report and Recommendation (ECF  
28 No. 9) is accepted and adopted in full.

1 It is further ordered that this action is dismissed without prejudice.

2 It is further ordered that the Clerk of Court enter judgment accordingly and close  
3 this case.

4 DATED THIS 20<sup>th</sup> Day of May 2025.

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8 MIRANDA M. DU  
9 UNITED STATES DISTRICT JUDGE  
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